

Amendments to the Claims:

The following Listing of Claims will replace all prior versions, and listings, of claims in the instant application. In a teleconference with the Examiner on or around February 28, 2007, the Examiner indicated that previous claim amendments not meeting the requirements of 37 CFR 1.121(c) would not have been entered into the record. Accordingly, Applicant bases the instant claim amendments on those entered in the record on April 16, 2004, which claims were also described in the Appeal Brief filed January 24, 2005. Entry of the instant claim amendments is respectfully requested.

Listing of Claims

1. (currently amended) A process of preparing an unsaturated fatty acid ~~acids~~, which comprises introducing, into an organism, at least one isolated nucleic acid sequence encoding a polypeptide having $\Delta 6$ -desaturase activity, selected from the group consisting of:
 - a) A nucleic acid sequence having the sequence shown in SEQ ID NO: 1,
 - b) nucleic acid sequences which, as a result of the degeneracy of the genetic code, are derived from the sequence shown in SEQ ID NO: 1, and
 - c) ~~derivatives~~ a derivative of the nucleic acid sequence shown in SEQ ID NO: 1 which ~~encode polypeptides~~ encodes the polypeptide with the amino acid sequence ~~sequences~~ shown in SEQ ID NO: 2 and have ~~has~~ at least 95% ~~85%~~ homology at the amino acid level without substantially reducing the enzymatic action $\Delta 6$ -desaturase activity of the polypeptide ~~polypeptides~~,and culturing the this organism, where ~~wherein~~ the cultured organism contains at least 1 mol% of unsaturated fatty acid ~~acids~~ based on the total fatty acid content in the organism.
2. (currently amended) The process as claimed in claim 1, wherein the isolated nucleic acid sequence is derived from a plant or an alga ~~algae~~.

3. (currently amended) The process as claimed in claim 1, wherein the isolated nucleic acid sequence is derived from *Physcomitrella patens*.
4. (currently amended) The process as claimed in claim 1, wherein the organism is an ~~organism~~ selected from the group consisting of a bacterium, a fungus, a ciliate, an alga ~~algae~~, a cyanobacterium, an animal and a plant.
5. (currently amended) The process as claimed in claim 1, wherein the organism is a plant or an alga ~~algae~~.
6. (previously presented) The process as claimed in claim 1, wherein the organism is an oil crop.
7. (currently amended) The process as claimed in claim 1, wherein the cultured organism contains at least 5% by weight of the unsaturated fatty acid ~~acids~~ based on the total fatty acid content in the organism.
8. (currently amended) The process as claimed in claim 1, wherein the unsaturated fatty ~~acids are~~ acid is isolated from the organism.
9. (currently amended) A transgenic organism selected from the group consisting of a plant ~~plants~~, a fungus ~~fungi~~, a ciliate ~~ciliates~~, an alga ~~algae~~, a bacterium ~~bacteria~~, and a cyanobacterium ~~cyanobacteria and animals~~ comprising at least one isolated nucleic acid sequence encoding a polypeptide with $\Delta 6$ -desaturase activity, selected from the group consisting of:
 - a) a nucleic acid sequence having the sequence shown in SEQ ID NO: 1,
 - b) a nucleic acid sequence ~~sequences~~ which, as a result of the degeneracy of the

- genetic code, ~~are~~ is derived from the sequence shown in SEQ ID NO: 1, and
- c) a derivative ~~derivatives~~ of the nucleic acid sequence shown in SEQ ID NO: 1 which ~~encode polypeptides~~ encodes the polypeptide with the amino acid sequence ~~sequences~~ shown in SEQ ID NO: 2 and have ~~has~~ at least 85% homology at the amino acid level without substantially reducing the $\Delta 6$ -desaturase ~~action~~ activity of the polypeptide ~~polypeptides~~.
10. (currently amended) A transgenic organism as claimed in claim 9, wherein the organism is a plant or an alga ~~algae~~.
11. (withdrawn) An oil, lipid or fatty acid or fraction thereof, prepared by the process as claimed in claim 1.
12. (withdrawn) The use of the oil, lipid or fatty acid composition as claimed in claim 11 or of a transgenic organism in feed, foodstuffs, cosmetics or pharmaceuticals.
13. (new) An isolated nucleic acid comprising SEQ ID NO: 1.
14. (new) The isolated nucleic acid of claim 13, which is at least 90% homologous with the complement of SEQ ID NO: 1 and has not less than 30% of the enzymatic activity of SEQ ID NO: 2.
15. (new) The isolated nucleic acid of claim 13, which is at least 90% homologous with the complement of SEQ ID NO: 1 and has not less than 100% of the enzymatic activity of SEQ ID NO: 2.
16. (new) The isolated nucleic acid of claim 13, which is at least 90% homologous with the complement of SEQ ID NO: 1 and has not less than 110% of the enzymatic activity of

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17. (new) The isolated nucleic acid of claim 13, which is at least 90% homologous with the complement of SEQ ID NO: 1 and has not less than 130% of the enzymatic activity of SEQ ID NO: 2.